IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

WP(C).No. 24989 of 2007(Y)

PETITIONERS:

1. SANIL KUMAR P.K., S/O.PRABHAKARAN,
   AGED 34 YEARS, MANIVILASOM, KALLUVETTANKUZHI,
   MANCODE P.O., KOLLAM DISTRICT.

2. SUBHASH P., AGED 37 YEARS,
   VENGAVILA VEEDU, CHIRAKKONAM,
   KADAKKAL P.O., KOLLAM DISTRICT.

3. ANIL KUMAR.S., AGED 38 YEARS,
   KALLUVILA VEEDU, MANJAPPARA P.O.,
   (VIA) AYOOR, KOLLAM DISTRICT.

4. SREEDHARAN.K., AGED 41 YEARS,
   CHARUVILA VEEDU, PAVOOR,
   MANJAPPARA P.O., KOLLAM DISTRICT.

BY ADV. SRI.M.SREEKUMAR

RESPONDENTS:

1. THE KERALA STATE ELECTRICITY BOARD,
   REPRESENTED BY THE SECRETARY,
   VAIDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.

2. CHIEF ENGINEER,
   HUMAN RESOURCES DEPARTMENT,
   K.S.E.B., PATTOM, THIRUVANANTHAPURAM.

3. DEPUTY CHIEF ENGINEER,
   K.S.E.B., ELECTRICAL CIRCLE,
   KOLLAM.

4. THE EXECUTIVE ENGINEER,
   K.S.E.B., ELECTRICAL DIVISION,
   CHATHANNUR.

BY ADV. K.S. ANIL, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C). No. 24989 OF 2007Y
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Dated this the 20th August, 2007

J U D G M E N T

Petitioners are provisional employees engaged by the 1st respondent. The Board has already initiated proceedings for selection on regular basis and the petitioners also have applied against the vacancy notification. It is stated that a written test has already been conducted on 6-1-2007 and the matter is yet to be finalised. In the meanwhile the term of appointment of the petitioners is expiring on 26-8-2007 and the order sought for in the writ petition is to direct respondents 3 and 4 to retain the petitioners in service in the post of Electrical Worker on provisional basis till the vacancies are filled up on regular basis.

2. I have heard the counsel for the petitioners and Standing Counsel for the respondent-Board. It is seen from Ext. P1 memo appointing the petitioners that the appointment is purely temporary under Rule 9(a)(1)

of K.S. & S.S.R. for a period of 179 days or till Public Service Commission candidates report for duty or till the Board deem it necessary to terminate the service. In view of the conditions subject to which they are appointed, petitioners have no right to continue beyond the period for which they are appointed. Since the period of appointment is expiring on 26-8-2007, these petitioners have no right to continue in service. The writ petition is dismissed.

ANTONY DOMINIC
JUDGE

jan/-